

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5712 of 2026

Arising Out of PS. Case No.-487 Year-2024 Thana- HARSIDHI District- East Champaran

1. Madan Prasad @ Madan Patel son of Sawroop Raut @ Sawroop Prasad Resident Of Village -Matlohiyar, Ps- Harsidhi, Dist -East Champaran
2. Arjun Prasad @ Arjun Patel Son of Madan Prasad @ Madan Patel Resident Of Village -Matlohiyar, Ps- Harsidhi, Dist -East Champaran

... .. Petitioner/s

Versus

The State of Bihar bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar, Advocate

For the Opposite Party/s : Mr. Abhay Kumar Roy, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 12-05-2026 Heard learned counsel for the petitioners and the State .

2. Petitioners apprehend their arrest in a case registered for the offence punishable under sections 103 and 61(2) of the Bhartiya Nyaya Sanhita, 2023.

3. As per F.I.R. informant alleges that co-accused Ajit Kumar asked husband of informant to accompany him to the place of occurrence where the other eleven named accused persons, including these petitioners, would also be present and they would sort out the land dispute between the parties. It is further stated that on her husband not returning home, she searched for him but he was not to be found. Subsequently, it



transpired that he had been killed and hanged. She went and identified her husband, with fractured legs. She states that she is convinced that the accused persons have killed him by calling him on pretext of a *panchayati*.

4. It is submitted on behalf of the petitioners that petitioner is innocent and has committed no offence. There is no eye witness to the alleged occurrence. Allegation against petitioners is general and omnibus. As per F.I.R., husband of the informant (deceased) was brutally assaulted by all the named accused persons but as per postmortem report, no injury was found on the body of deceased and cause of death is 'Asphyxia due to hanging'. Petitioners claim clean antecedent. Similarly situated co-accused person has already been granted bail by this Hon'ble Court vide order dated 17.03.2026 in Cr. Misc. No. 83829 of 2025 .

5. Learned counsel for the State opposed the bail petition.

6 Considering the aforesaid facts, clean antecedent of these petitioners, materials available on record and other circumstances of the case, in the event of arrest or surrender within eight weeks from today, let the petitioners, as named above, be enlarged on bail on furnishing bail bond of



Rs.10,000/-(ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate at Motihari in connection with Harsidhi P.S. Case No. 487 of 2024 , subject to the conditions laid down under section 482 (2) of the Bharatiya Nagarik Suraksha Sanhita (BNSS) , 2023 .

(Prabhat Kumar Singh, J)

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